

Report on Riparian Water Rights
Re Delivery of Water to Members of
San Marcos Trout Clun from Springs

Is in a white binder across from the Statements

CONTACT REPORT**DIVISION OF WATER RIGHTS****SUBJECT: San Marcos Mutual Water Co.
Riparian Rights to San Jose Creek****STATE WATER RESOURCES CONTROL BOARD****DIVISION PERSONNEL:****Date: 7/14/2009 Time: 9:06****Bill Rigby- Water Quality Cert. Unit****Telephone: 916-444-2880****Individual / Agency Contacted: Paul Johnson at Barton & Gallery**

I phoned Mr. Johnson (agent for San Marcos) this morning about the riparian claims (S008885 & S015533) of San Marcos Mutual Water Co. Their claims came into doubt when a phone duty inquiry about Supplemental Statements turned into a question from the Division regarding the validity of their rights. No documentation of right could be found in the file room even though records of proof (claims) were submitted to the Division by Barton & Gallery in 2004. When I notified Mr. Johnson that the 2004 records could not be located, he hand delivered copies of his records entitled "Report on Riparian Rights Re-Delivery of Water to Members of San Marcos Trout Club from Springs" dated April 2004, to the Division. Copies of their documents were made for the Division records and his originals were returned. The Division is not going to make a determination about the validity of the riparian claim.

RECOMMENDATION/ACTION: None.

SURNAME	<i>Cpw</i>	<i>7/14/09</i>	<i>BR</i>	<i>7/14/09</i>		
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State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

June 2, 2009

In Reply Refer to:
300:BR:S008885, &
S015533

Mr. Larry Farwell
San Marcos Mutual Water Company
50 San Marcos Trout Club
Santa Barbara, CA 93105

Dear Mr. Farwell:

STATEMENT OF WATER DIVERSION AND USE (STATEMENT) S008885 FOR DIVERSION FROM SAN JOSE CREEK TRIBUTARY TO LAS VEGAS CREEK AND S015533 FOR DIVERSION FROM AN UNNAMED SPRING TRIBUTARY TO SAN JOSE CREEK IN SANTA BARBARA COUNTY

You telephoned the State Water Resources Control Board Division of Water Rights (Division) on March 27, 2009 and were assisted by Mr. Elliott Matchett. Your inquiry was related to the water right entitlement claimed by the San Marcos Mutual Water Company (SMMWC) to supply water to 42 residences in the San Marcos Trout Club subdivision.

Mr. Matchett informed you that San Marcos Mutual Water Company had filed claims of riparian entitlement under Statements 8885 and 15533. His review of the Statements suggests that the diversion under riparian right was inconsistent with the riparian doctrine and indicated that he would have to refer the matter to staff assigned to the Statement program.

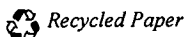
I have followed up with your inquiry and reviewed the two Statement files by SMMWC.

Based on contents in the case file for Statement 8885:

1. The original Statement filed in 1976 indicates the first use of water from San Jose Creek was in 1928 for recreational fishing and swimming. It states that no water was diverted and was an emergency backup to a domestic spring.
2. Supplemental Statements for the periods of 1992 through 1994 and 1998 through 2000 were found in the case files.
3. The 1998 through 2000 Supplemental indicates the water source used prior to 1995 was from a spring within the SW¼ of SW¼ of section 22, Township 5 North, Range 28 West, SBB&M. Groundwater was used after 1995 because the Santa Barbara County Health Department required the spring water to be passed through a filtration system.
4. By the spring of 2002, SMMWC installed a functional filtration system and the spring was the primary water source.
5. Prior to 2004, the Division had no record of SMMWC filing a Statement for use of this spring.

SURNAME

California Environmental Protection Agency



Mr. Larry Farwell

Based on contents in the case file for Statement 15533:

1. SMMWC filed a riparian claim on July 21, 2004 for use of the spring within the SW¼ of SW¼ of section 22, Township 5 North, Range 28 West, SBB&M indicating the year of first use was 1928.
2. The purpose of use is domestic for 140 people and/or 42 residences located within the NE¼ of NW¼ and NW¼ of NE¼ of section 27, Township 5 North, Range 28 West, SBB&M.
3. The place of use is not contiguous to the spring or San Jose Creek.

The purpose of filing a Statement with the Division is to document your claim of a water right for an active diversion and is not to be regarded as a water right issued by the State of California. A Statement is normally filed to claim riparian use based on the location of your property relative to the spring or stream, or to claim the continuous use of water established prior to December 19, 1914. The Statements filed by SMMWC indicate a riparian claim for domestic use since 1928.

Based on the first use in 1928; the residences location relevant to San Jose Creek and the spring; and the absence of documentation indicating preservation of riparian rights for the severed parcels, there appears to be little evidence to support a claim of riparian right for S015533 and S008885. An Application to Appropriate Water should be filed with this Division. The form can be downloaded from our website at <http://www.waterrights.ca.gov/Forms/DEFAULT.HTM>.

If you have questions or concerns regarding this matter, please contact me at (916) 341-5376 or at brigby@waterboards.ca.gov.

Sincerely,

ORIGINAL SIGNED BY.

Bill Rigby
Engineering Associate
Water Quality Certification Unit

Cc: Steve Herrera, Elliott Matchett

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State Water Resources

Division of Water R

1001 I Street, 14th Floor ♦ Sacramento, California
P.O. Box 2000 ♦ Sacramento, California
Fax: 916.341.5400 ♦ www.water

San Marcos Mutual Water Co

S008885

S015533



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Linda S. Adams
Secretary for
Environmental Protection

June 2, 2009

Mr. Larry Farwell
San Marcos Mutual Water Company
50 San Marcos Trout Club
Santa Barbara, CA 93105

PAUL JOHNSON WILL
HAND DELIVER A
"STUDY" TO THE FILE
R.M. 6/28/09

Dear Mr. Farwell:

STATEMENT OF WATER DIVERSION AND USE (STATEMENT) S008885 FOR DIVERSION FROM SAN JOSE CREEK TRIBUTARY TO LAS VEGAS CREEK AND S015533 FOR DIVERSION FROM AN UNNAMED SPRING TRIBUTARY TO SAN JOSE CREEK IN SANTA BARBARA COUNTY

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4. By the spring of 2002, SMMWC installed a functional filtration system and the spring was the primary water source.
5. Prior to 2004, the Division had no record of SMMWC filing a Statement for use of this spring.

SURNAME BR | 6/2/09 | California Environmental Protection Agency



State Water Resources Control Board



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Secretary for
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In Reply Refer to:
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50 San Marcos Trout Club
Santa Barbara, CA 93105

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5. Prior to 2004, the Division had no record of SMMWC filing a Statement for use of this spring.

Mr. Larry Farwell

Based on contents in the case file for Statement 15533:

1. SMMWC filed a riparian claim on July 21, 2004 for use of the spring within the SW¼ of SW¼ of section 22, Township 5 North, Range 28 West, SBB&M indicating the year of first use was 1928.
2. The purpose of use is domestic for 140 people and/or 42 residences located within the NE¼ of NW¼ and NW¼ of NE¼ of section 27, Township 5 North, Range 28 West, SBB&M.
3. The place of use is not contiguous to the spring or San Jose Creek.

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Based on the first use in 1928; the residences location relevant to San Jose Creek and the spring; and the absence of documentation indicating preservation of riparian rights for the severed parcels, there appears to be little evidence to support a claim of riparian right for S015533 and S008885. An Application to Appropriate Water should be filed with this Division. The form can be downloaded from our website at <http://www.waterrights.ca.gov/Forms/DEFAULT.HTM>.

If you have questions or concerns regarding this matter, please contact me at (916) 341-5376 or at brigby@waterboards.ca.gov.

Sincerely,

Bill Rigby
Engineering Associate
Water Quality Certification Unit

Cc: Steve Herrera, Elliott Matchett

U:\Herdrv\STATEMENTS\San Marcos MW s015533.doc

http://ciwqs.waterboards.ca.gov/ewrims/ewrims/EWServlet

File Edit View Favorites Tools Help

California Integrated Water Quality ...

Home



Menu Help Log out

Navigate to:

You are logged-in as ematchett If this account does not belong to you please log out.

e-WRIMS Party Details

[Return to Water Right Search]

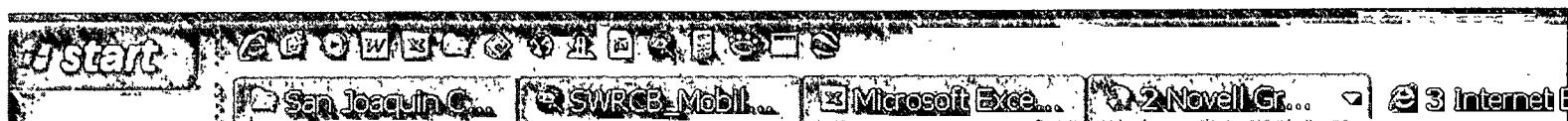
Application ID: S008885 Water Right Type: Statement of Div and Use
 Permit ID: Water Rights Status: Claimed (08/09/1976)
 License ID: Primary Owner: SAN MARCOS MUTUAL WATER COMPANY

Application Parties Status Uses and Seasons PODs and Sources Permit License Related Rights Petitions Routing Slips Complaints Protests

Enter/modify form data below and click "Save Party Details".

Application ID: S008885 CIWQS Party ID: 416361 eWRIMS Name ID: 10015855
 Use for BOE Correspondence
 Relationship Type: Primary Owner ☒ Official Mail Receiver
 Effective From Date: 09/15/1994 Effective To Date:
 Comments/Attachments: ☐ Comments ☐ Attachments [View History](#)
 Last Update Date: 04/22/2009 Last Update User: Elliott Matchett

Party Name	Entity Type
SAN MARCOS MUTUAL WATER COMPANY	Corporation
Mailing Address	Billing Address
60 SAN MARCOS TROUT CLUB SANTA BARBARA CA 93105 <i>Changed to: by ELM on 4/22/09</i>	60 SAN MARCOS TROUT CLUB SANTA BARBARA CA 93105 <i>Changed to S by ELM on 4/22/09</i>
Phone Number	
8059648486	
Save Party Details	Generate BOE Action Form
Edit Contact Information	



From: Elliott Matchett
To: pkc roberson
Date: 4/22/2009 10:40 AM
Subject: Re: Supplemental statement inquiry
Attachments: S008885 2004-2006 supplemetal statement.pdf

Hi Ms. Roberson,

~~I have changed our records of mailing and billing addresses of San Marcos Mutual Water Company to 50 San Marcos Trout Club, Santa Barbara, CA 93105 as you requested.~~ Additionally, in an attachment to the e-mail I have provided a copy of your completed supplemental Statement of Water Diversion and Use for S008885, years 2004-2006.

Regards,
Elliott

Elliott L. Matchett
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor,
Sacramento, CA 95814
Phone: (916) 341-5667
Fax: (916) 341-5400

>>> pkc roberson <robersonpkc@yahoo.com> 4/21/2009 3:54 PM >>>
Elliot,

PDF file file of the 2004-06 supplemental would be great! Again, many thanks!

Phyllis
San Marcos Mutual Water Co.

--- On Tue, 4/21/09, Elliott Matchett <EMatchett@waterboards.ca.gov> wrote:

From: Elliott Matchett <EMatchett@waterboards.ca.gov>
Subject: Re: Supplemental statement inquiry
To: "pkc roberson" <robersonpkc@yahoo.com>
Date: Tuesday, April 21, 2009, 3:33 PM

Ms. Roberson,
Tomorrow I will have a chance to correct the recorded address if necessary. Can I e-mail you a PDF file of the 2004-06 supplemental tomorrow as well, rather than mail it?

This would be fastest.
Elliott

Elliott L. Matchett
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor,
Sacramento, CA 95814
Phone: (916) 341-5667
Fax: (916) 341-5400

>>> pkc roberson <robersonpkc@yahoo.com> 4/21/2009 3:24 PM >>>
Hi Elliot,

You have made me a happy camper!

How best to get a copy of the 2004-2006 statement we filed since the member who filed it seems to have no recollection of or copy of what he filed?

~~In addition, we now have a corporate address of 50 San Marcos Trout Club, 93105 and I want to assure that your records reflect this, not so recent, change of address.~~

Many thanks,
Phyllis Roberson
Sec/Treas
San Marcos Mutual Water Co.

--- On Tue, 4/21/09, Elliott Matchett <EMatchett@waterboards.ca.gov> wrote:

From: Elliott Matchett <EMatchett@waterboards.ca.gov>
Subject: Supplemental statement inquiry
To: robersonpkc@yahoo.com
Date: Tuesday, April 21, 2009, 2:54 PM

Hi Ms. Roberson,
We did receive a Supplemental Statement years 2004-2006 for your Statement of Water Diversion and Use number S008885. No other supplementals will be required until you receive the next set of supplementals this month or next month.

Regards,
Elliott

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **SAN MARCOS MUTUAL WATER COMPANY**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
SAN MARCOS MUTUAL WATER COMPANY
2476 SAN MARCOS PASS RD
SANTA BARBARA, CA 93105

STATEMENT NO.: **S008885**
CONTACT PHONE NO.: **(805) 964 - 8486**

Source Name: **SAN JOSE CREEK**
Tributary To: **LAS VEGAS CREEK**
County: **Santa Barbara**
Diversion Within: **NE¼ of NW¼ Section 27 T05N, R28W, SB&M**

Year of First Use: **1928**
Parcel Number:

- A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right _____ Other (explain): _____
B. **Year of First Use:** (Please provide if missing above) _____
C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons ☒ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004													0
2005													0
2006													0

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic 110 people;

Other (specify) This source is used as emergency backup for the springs and wells.

- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES ☒ NO _____
Describe any water conservation efforts you have initiated: Program continues as detailed on previous reports. Efficient systems, grey water systems, information to members, tiered rates.

- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ____ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)


State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES  NO X
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 27, 2007 at Santa Barbara, California

SIGNATURE: _____

PRINTED NAME: Richard T. Siegel
(first name) (middle initial) (last name)

COMPANY NAME: San Marcos Mutual Water Co.

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

From: Elliott Matchett
To: Camilla Williams
CC: Mark Stretars; Whalen Toy
Date: 4/7/2009 10:06 AM
Subject: Correspondence with Larry Farwell, San Marcos Mutual Water Company, S015533 and S008885

Hi Cam,

Based on your request, I have provided some info relating to the phone duty inquiry initiated on 3/27 from the party indicated above. I have included a contact report of my last correspondence (4/6) with Farwell in both Statement files. Based on your direction, I informed Whalen of my conversation with Mr. Farwell. I did not confirm the spelling of his name in case this becomes important later. I will bring you the files in a minute.

Examination of the contents of file S015533 resulted from an unrelated inquiry by Larry Farwell on 3/27 during phone duty. File S015533 was included in a group of Statement files that lacked documentation supporting claims of riparian or pre-1914 water rights (from Bill's office). Based on file S015533, San Marcos Mutual Water Company diverts water from an unnamed spring that is tributary to San Jose Creek in Santa Barbara County. The water is supplied to multiple parcels and approximately 42 residences ("San Marcos Trout Club"). Within file S015533, Special Programs staff previously noted a lack of documentation supporting a riparian right to divert water to parcels separated from the spring. I told L. Farwell that within the file, parcel maps provided by Parcel Quest software indicated separation of several parcels from the riparian source, which is inconsistent with a riparian right. According to the S015533 and S008885, year of first use was in 1928, so pre-1914 rights should not apply.

Thanks for your help, Cam.
Elliott

Elliott L. Matchett
State Water Resources Control Board
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Phone: (916) 341-5667
Fax: (916) 341-5400

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CC: Mark Stretars; Whalen Toy
Date: 4/7/2009 10:06 AM
Subject: Correspondence with Larry Farwell, San Marcos Mutual Water Company, S015533 and S008885

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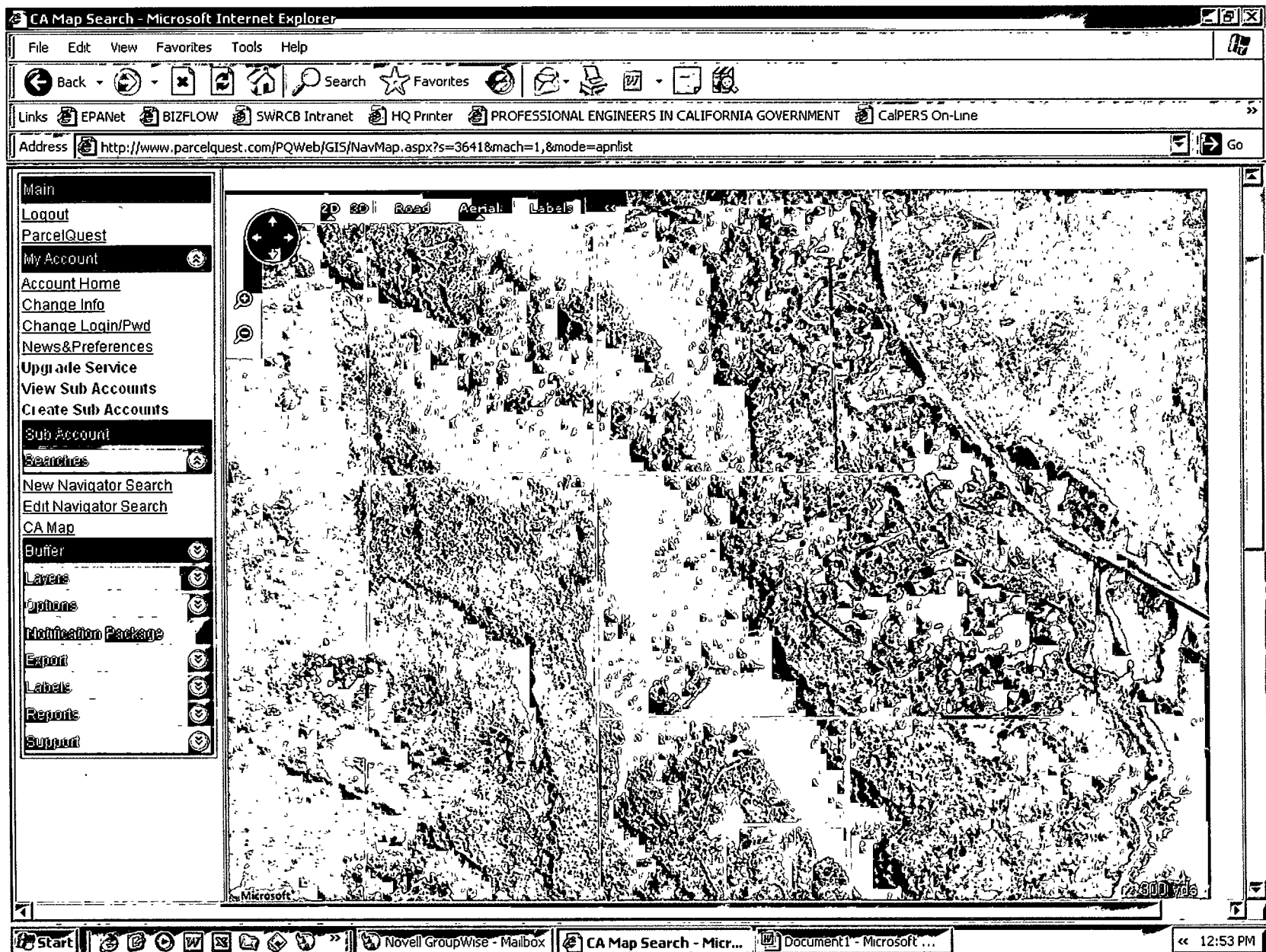
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Thanks for your help, Cam.

Elliott

Elliott L. Matchett
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1001 I Street, 14th Floor,
Sacramento, CA 95814
Phone: (916) 341-5667
Fax: (916) 341-5400



CONTACT REPORT

FILE(S): S008885, S015533

DIVISION PERSONNEL: Elliott Matchett

DATE: April 6, 2009 (most recent correspondence since phone duty on 3/27/2009)

TIME: 2:22 PM

PERSON CONTACTED: Larry Farwell, San Marcos Mutual Water Company

TELEPHONE NUMBER: Office: (805) 964-8486; Mobile: (805) 452-4420

SUBJECT: Examination of the contents of file S015533 resulted from an unrelated inquiry by Larry Farwell on 3/27 during phone duty. File S015533 was included in a group of Statement files that lacked documentation supporting claims of riparian or pre-1914 water rights. Based on file S015533, San Marcos Mutual Water Company diverts water from an unnamed spring that is tributary to San Jose Creek in Santa Barbary County. The water is supplied to multiple parcels and approximately 42 residences ("San Marcos Trout Club"). Within file S015533, Special Programs staff previously noted a lack of documentation supporting a riparian right to divert water to parcels separated from the spring. I told L. Farwell that within the file, parcel maps provided by Parcel Quest software indicated separation of several parcels from the riparian source, which is inconsistent with a riparian right. He indicated that the water company had previously hired an attorney to provide the appropriate documentation supporting the riparian right, although no such documentation exists in files S015533 or S008885 (claim of riparian right to divert directly from San Jose Creek). On 4/6, I indicated to L. Farwell that staff in the Special Projects Unit reviewing Statements will be contacting him shortly.

ACTION ITEM: Additional documentation is required by the San Marcos Mutual Water Company to support a claim of riparian water right for S015533 and potentially S008885. Based on my understanding, the water company should provide documentation of the historical parties/locations that used water and amount of water provided to the parties before parcel subdivision separating the water source from the Place of Use. Otherwise, the water company should submit an application for an appropriative water right to the Division. Statement forms for S008885 and S015533 that were initially submitted indicate that year of first use was in 1928, so pre-1914 rights should not apply.

CONTACT REPORT

FILE(S): S008885, S015533

DIVISION PERSONNEL: Elliott Matchett

DATE: April 6, 2009 (most recent correspondence since phone duty on 3/27/2009)

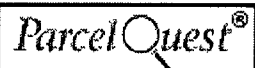
TIME: 2:22 PM

PERSON CONTACTED: Larry Farwell, San Marcos Mutual Water Company

TELEPHONE NUMBER: Office: (805) 964-8486; Mobile: (805) 452-4420

SUBJECT: Examination of the contents of file S015533 resulted from an unrelated inquiry by Larry Farwell on 3/27 during phone duty. File S015533 was included in a group of Statement files that lacked documentation supporting claims of riparian or pre-1914 water rights. Based on file S015533, San Marcos Mutual Water Company diverts water from an unnamed spring that is tributary to San Jose Creek in Santa Barbary County. The water is supplied to multiple parcels and approximately 42 residences ("San Marcos Trout Club"). Within file S015533, Special Programs staff previously noted a lack of documentation supporting a riparian right to divert water to parcels separated from the spring. I told L. Farwell that within the file, parcel maps provided by Parcel Quest software indicated separation of several parcels from the riparian source, which is inconsistent with a riparian right. He indicated that the water company had previously hired an attorney to provide the appropriate documentation supporting the riparian right, although no such documentation exists in files S015533 or S008885 (claim of riparian right to divert directly from San Jose Creek). On 4/6, I indicated to L. Farwell that staff in the Special Projects Unit reviewing Statements will be contacting him shortly.

ACTION ITEM: Additional documentation is required by the San Marcos Mutual Water Company to support a claim of riparian water right for S015533 and potentially S008885. Based on my understanding, the water company should provide documentation of the historical parties/locations that used water and amount of water provided to the parties before parcel subdivision separating the water source from the Place of Use. Otherwise, the water company should submit an application for an appropriative water right to the Division. Statement forms for S008885 and S015533 that were initially submitted indicate that year of first use was in 1928, so pre-1914 rights should not apply.

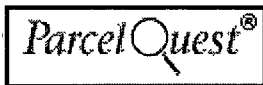
[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-191-001	MEYER JEFFREY W & JANET L	5186 SAN JOSE RD SANTA BARBARA CA 93105	Map
153-191-002	BARRYMORE CARROLL/BARRYMORE CARROLL&SUSANNE D FAM TR	CA	Map
153-191-003	WATERS PAUL	5150 SAN JOSE RD SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

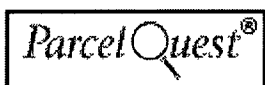
[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-192-001	SAN MARCOS TROUT CLUB LTD	CA	Map

***The information provided here is deemed reliable, but is not guaranteed.

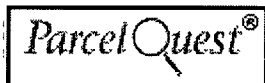
[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-193-001	PHILBRICK RALPH N	5195 SAN JOSE RD SANTA BARBARA CA 93105	Map
153-193-002	WATERS PAUL	5175 SAN JOSE RD SANTA BARBARA CA 93105	Map
153-193-003	SAN MARCOS TROUT CLUB LTD CA		Map
153-193-004	PICOTTE WESLEY DONALD & PIA MONIKA/PICOTTE WESLEY DO	5155 LOUISIANA PL SANTA BARBARA CA 93111	Map
153-193-005	KINCAID LIVING TRUST	23 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

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Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-195-005	BARRYMORE CARROLL/BARRYMORE CARROLL&SUSANNE D FAM TR	5098 SAN JOSE RD SANTA BARBARA CA 93105	Map
153-195-007	OSENGA HELEN C	38 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-195-008	GLICK MICHAEL STANLEY	5080 SAN JOSE RD SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

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Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-196-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-196-002	BARRYMORE CARROLL/BARRYMORE CARROLL & SUSANNE D FAM	5085 SAN JOSE RD SANTA BARBARA CA 93105	Map
153-196-003	MORTER SCOTT W	CA	Map
153-196-004	MUNDY MICHAEL & LAURIE K	22 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-196-005	SOFFICI ALEX R	5050 LA SENDA DELENCINA SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

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Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-202-002	SAN MARCOS TROUT CLUB LTD	CA	Map
153-202-003	MATTHYS ERIC F	17 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-202-006	BRANDTS ROBERT P & LOIS R	19 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-202-007	ROHRBACH JAN E & MARY LYNN/ROHRBACH REV TRUST 3/15/9	21 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

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Click on the APN to view a detailed report or click the Map Link to view a parcel map.

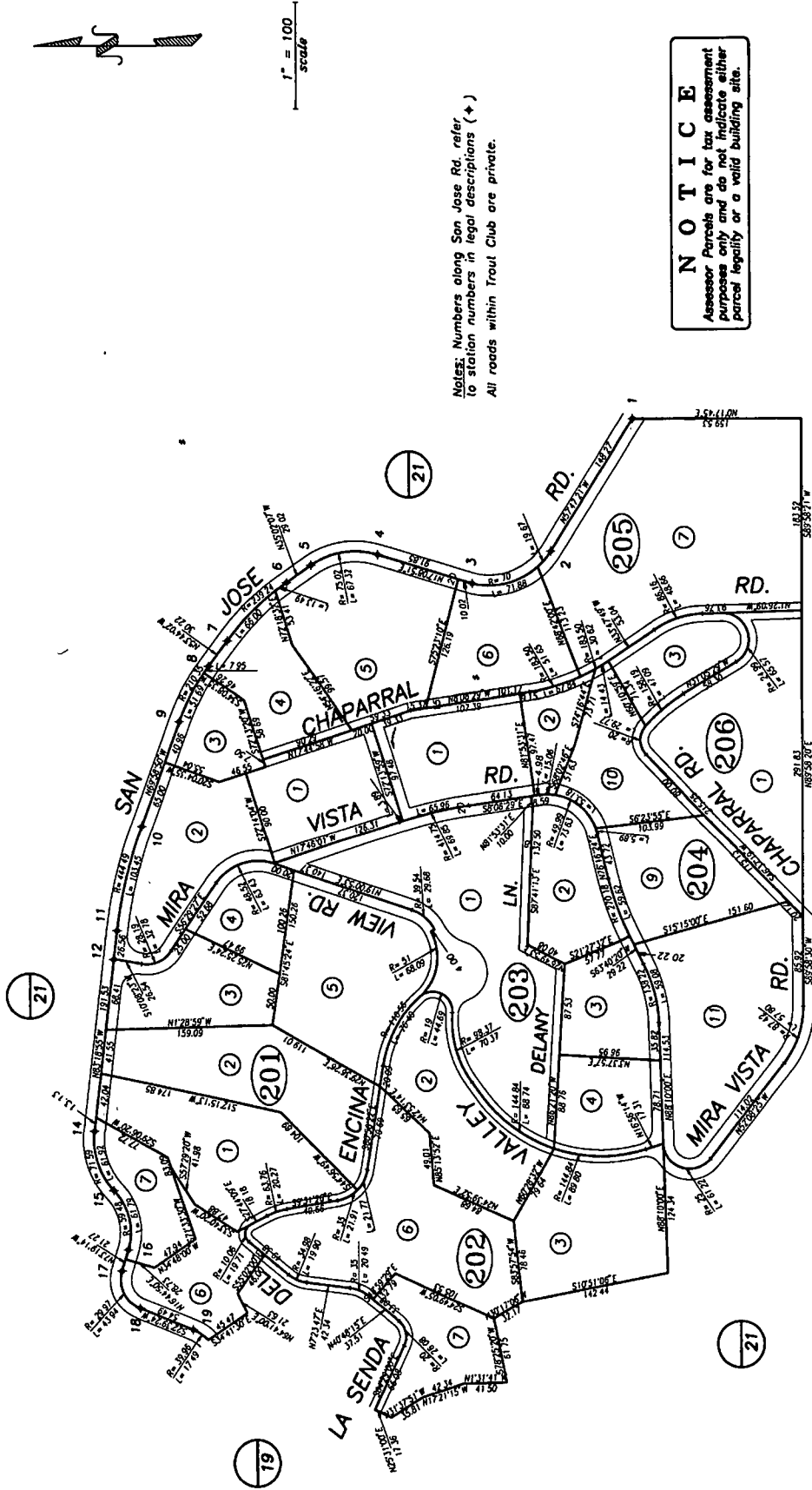
SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-201-001	CHIRMAN SAVELLY B & DARLENE B/CHIRMAN LIV TR 9/15/97	146 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-201-002	CHIRMAN SAVELLY B & DARLENE B/CHIRMAN LIV TR 9/15/97	40 SAN MARCOS TROUT CLB 39 SANTA BARBARA CA 93105	Map
153-201-003	COPE RICHARD D	2 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-201-004	MOORE RALPH C & CHARLOTTE C	CA	Map
153-201-005	SAN MARCOS TROUT CLUB LTD	CA	Map
153-201-006	CHIRMAN SAVELLY B & DARLENE B/CHIRMAN LIV TR 9/15/97	CA	Map
153-201-007	REYNOLDS LAUREN	148 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

POR. NE/4 SEC. 27 T5N R28W SBB&M

.153-20



Notes: Numbers along San Jose Rd. refer to station numbers in legal descriptions (+)
All roads within Trout Club are private.

NOTICE
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

Assessor's Map Bk, 153-Pg. 20
County of Santa Barbara, Calif.

202-01 & 191-08 into 202-06-07
196-06-07 moved to 201-06-07
08/97 204-06-07 into 204-11

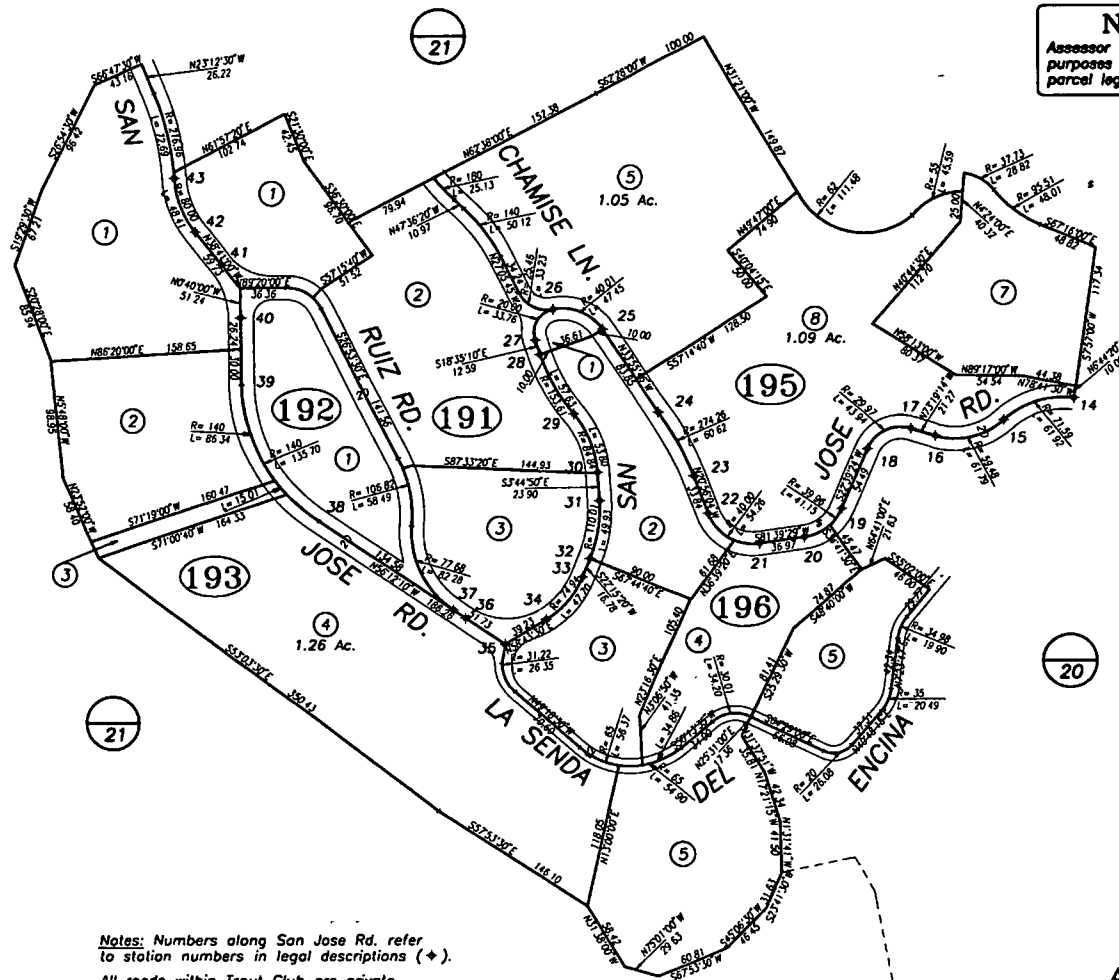
Unrecorded--San Marcos Syndicate Property ("Trout Club")

NOTICE

Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.



1" = 100
scale



Notes: Numbers along San Jose Rd. refer to station numbers in legal descriptions (+).
All roads within Trout Club are private.

Assessor's Map Bk, 153-Pg, 19
County of Santa Barbara, Calif.

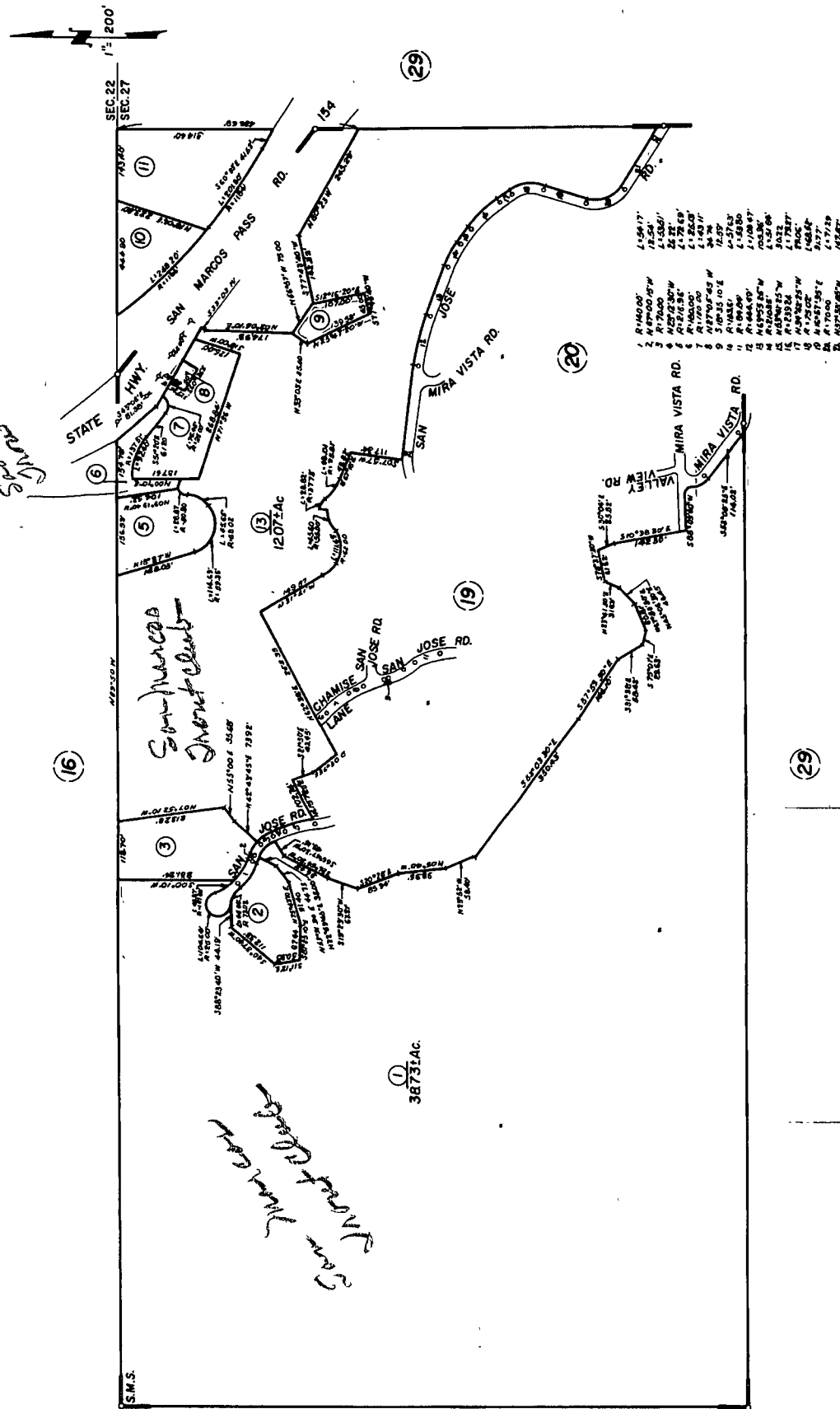
Unrecorded--San Marcos Syndicate Property ("Trout Club")

09/97

193-06 into 202-07 No
195-06,07 to pg. 20

153-21

Wm. C. D. Tax Area Code

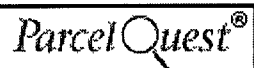


Assessor's Map Bk.153 - Pg.21
County of Santa Barbara, Calif.

**NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles**

696

Background -


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Detail Report

PROPERTY DETAIL

Santa Barbara, CA JOSEPH HOLLAND, ASSESSOR

[Back to Results](#)

Parcel# (APN): **153-160-027**

Use Description:

Parcel Status: **ACTIVE**

Owner Name: **SAN MARCOS MUTUAL WATER COMPANY**

Mailing Addr: **275 ROSARIO PARK RD SANTA BARBARA CA 93105**

Situs Addr: **CA**

Legal Description:

ASSESSMENT

Total Value: **\$35,156**

Use Code: **8100**

Zoning:

Land Value: **\$35,156**

Tax Rate Area: **066006**

Impr Value:

Year Assd: **2005**

Impr Type:

Other Value:

Property Tax:

Price/Sqft:

% Improved:

Delinquent Yr:

Exempt Amt.:

Exempt Codes: **N**

SALE HISTORY

Sale1

Sale2

Sale 3

Transfer

Recording Date:

07/18/1960

Recorded Doc:

1960022524

Rec. Doc Type:

Transfer Amount:

Seller (Grantor):

1st Trs Dd Amt:

Code 1:

2nd Trs Dd Amt:

Code:2:

PROPERTY CHARACTERISTICS

Lot Acres: **40.000**

Year Built:

Fireplace:

Lot SqFt: **1,742,400**

Effective Yr:

A/C:

Bldg/Liv Area:

Heating:

Units:

Total Rooms:

Pool:

Buildings:

Bedrooms:

Flooring:

Stories:

Baths (Full):

Park Type:

Style:

Baths (Half):

Spaces:

Construct:

Bsmt SqFt:

Site Influence:

Quality:

Garage SqFt:

Building Class:

Timber Preserve:

Condition:

Ag Preserve:

Other:

Other Rooms:

***The information provided here is deemed reliable, but is not guaranteed.

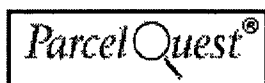
[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-290-001	USA	CA	Map
153-290-003	USA	CA	Map
153-290-004	USA	CA	Map
153-290-005	BREVIER GERARD F	CA	Map
153-290-007	KOLEGRAFF DAVID WILLIAM & PEOUNORA HOU	CA	Map
153-290-008	LAKSMI TRUST	2110 N SAN MARCOS RD CA	Map

***The information provided here is deemed reliable, but is not guaranteed.

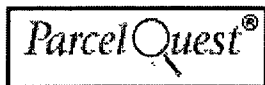
[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-160-027	SAN MARCOS MUTUAL WATER COMPANY	CA	Map
153-210-008	SAN MARCOS MUTUAL WATER COMPANY	CA	Map
153-210-009	SAN MARCOS MUTUAL WATER COMPANY	CA	Map

***The information provided here is deemed reliable, but is not guaranteed.

[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-160-027	SAN MARCOS MUTUAL WATER COMPANY	CA	Map

***The information provided here is deemed reliable, but is not guaranteed.

[Search](#)[Contact](#)[Support](#)[Feedback Form](#)[Logout](#)**Property Search**[New Search](#)

Click on the APN to view a detailed report or click the Map Link to view a parcel map.

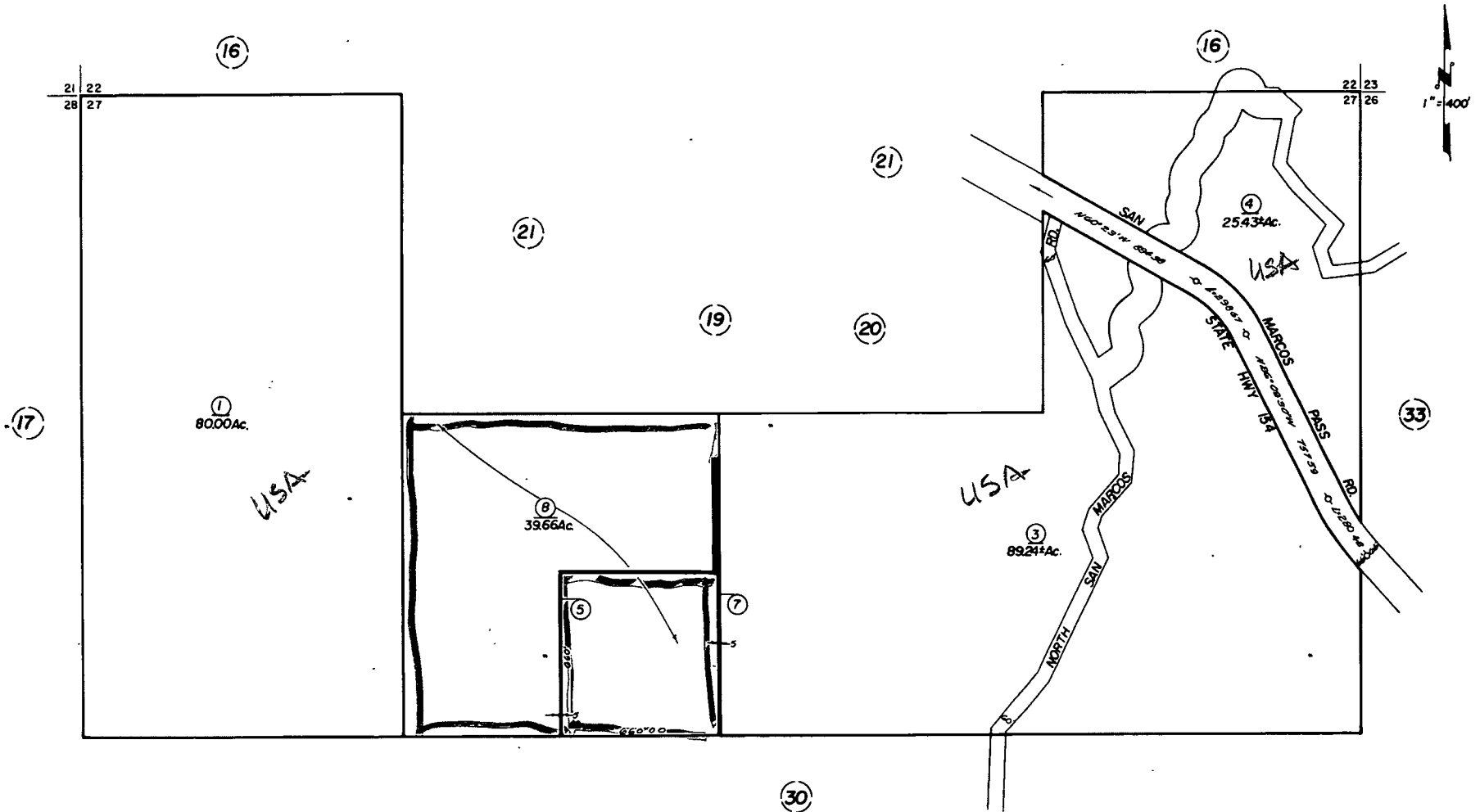
SELECTED COUNTY: Santa Barbara, CA

APN	Owner Name	Situs Address	Map Link
153-192-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-193-003	SAN MARCOS TROUT CLUB LTD	CA	Map
153-196-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-201-005	SAN MARCOS TROUT CLUB LTD	CA	Map
153-202-002	SAN MARCOS TROUT CLUB LTD	CA	Map
153-203-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-204-003	SAN MARCOS TROUT CLUB LTD	CA	Map
153-205-002	SAN MARCOS TROUT CLUB LTD	1 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map
153-205-007	SAN MARCOS TROUT CLUB LTD	CA	Map
153-206-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-210-001	SAN MARCOS TROUT CLUB LTD	CA	Map
153-210-006	SAN MARCOS TROUT CLUB LTD	CA	Map
153-210-013	SAN MARCOS TROUT CLUB LTD	50 SAN MARCOS TROUT CLB SANTA BARBARA CA 93105	Map

***The information provided here is deemed reliable, but is not guaranteed.

POR. N 1/2 SEC. 27, T.5N., R.28W., S.B.B. & M.

153-29



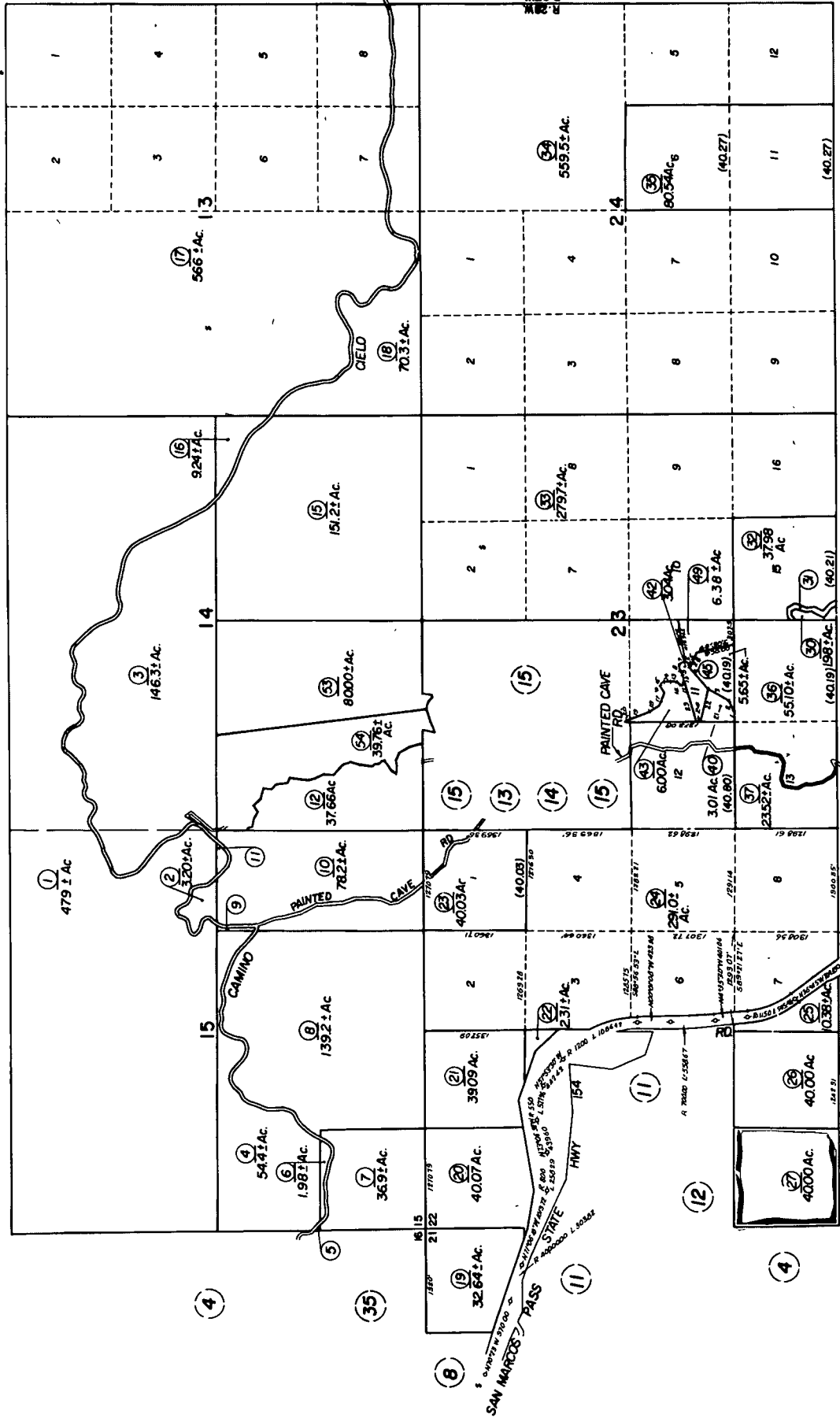
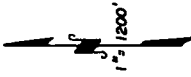
Assessor's Map Bk. 153 - Pg. 29
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

7/71 Old San Marcos Rd. to North S.B. & M.

T.5N., R.28W., S.B.B. & M.

153-16



Assessor's Map Bk. 153-Pg. 16

NOTE - 2/28/83 Corrected Common Boundary of Parcels 12 and 54 per PM 26/3, 9

NOTE - Assessor's Block Numbers Shown in Ellipses

1.0/83 12 (54 correct boundary)

State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
1001 I Street, 14th Floor, Sacramento, CA 95814
Info: (916) 341-5300 FAX: (916) 341-5400

STATE WATER RESOURCES
CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2001 SEP - 4 PM 12: 01

Please use the button located on bottom of report to submit the completed report.

You may need to use the side scroll bars to page down.

If you have a question, comment or need to communicate with us, please send an email.

Make sure to include your application, statement or groundwater recordation number in your email.

wrreports@waterrights.swrcb.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
FOR: 1998--1999--2000

PLEASE COMPLETE AND RETURN THIS FORM BY July 1, 2001

GENERAL INFORMATION PERTAINING TO WATER RIGHTS

SOURCE: 01: SAN JOSE CREEK	STATEMENT NO: S008885
TRIBUTARY TO: LAS VEGAS CREEK	YEAR OF FIRST USE: 1928
COUNTY: SANTA BARBARA	PARCEL NO:
DIVERSION WITHIN: NE1/4 OF NW1/4 SECTION 27, T5N, R28W, SB&M	

Mail Recipient Information:

Name SAN MARCOS MUTUAL WATER CO
Address STAR ROUTE TROUT CLUB
City/State/Zip SANTA BARBARA CA 93105
Telephone (805) 967-7901

OWNER(S) OF RECORD:

Please click on each owner to view name, address and telephone information. If the information is wrong or missing, please correct.

SAN MARCOS MUTUAL WATER CO (Primary Contact Owner, Owner, Mail Recipient)

Add Owner or Agent Click here to add a new owner or agent for this report.

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR STATEMENT.

X These fields must be filled in.

The following abbreviations are used - af for acre-feet, mg for million gallons

A. Water is under: ☒ Riparian claim ☐ Pre 1914 right ☐ Other

If Other, Please explain:

--

B. Year of first use (Please provide if missing above): 1928

C. Amount of use- Enter the amount of water used each month.

Amounts below are: ☐ gallons ☒ acre-feet

If the amount of water used is known, please enter numbers below in Table A:

Table A

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
1998													Show Total
1999													Show Total
2000		1.3		1.6		1.1		.99		.78		.83	Show Total

If monthly use is not known, please check months water was used below in Table B:

Table B

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1998	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
1999	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

D. Purpose of use- Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation (Acres)

Stockwatering (# of head)

Domestic (# of people)

Other (specify)

E. Changes in method of diversion

Describe any changes in your project since your previous statement was filed.(new pump, enlarged diversion dam, location of diversion,etc.)

F. Please answer only those questions below which are applicable to your project.

1. CONSERVATION OF WATER

a. Are you now employing water conservation efforts? ☒ Yes ☐ No

Describe any water conservation efforts you may have started:

-SEE ATTACHMENT

b. If credit toward beneficial use of water under claimed pre 1914 appropriate water right for water not used due to a conservation effort is claimed under-section 1011 of the Water Code, please show the amounts of water conserved.

Reductions in Diversions:	1998	1999	2000
	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg
Reductions in consumptive use:	1998	1999	2000
	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg	<input type="text"/> <input type="radio"/> af <input type="radio"/> mg

I have data to support the above surface water use reductions due to conservation efforts.

☐ Yes ☐ No

Wm

2. WATER QUALITY AND WASTEWATER RECLAMATION

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably effects such water for other beneficial uses? ☐ Yes ☒ No
- b. If credit toward use under claimed pre 1914 appropriate water right through substitution of reclaimed water, desalinated water, or polluted water in lieu of appropriated claimed under section 1011 of the Water Code, please show the amounts of reduced diversions and amounts of reclaimed water used below.

1998	1999	2000
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> af <input checked="" type="radio"/> mg	<input type="radio"/> af <input checked="" type="radio"/> mg	<input type="radio"/> af <input checked="" type="radio"/> mg

I have data to support the above surface water use reductions due to wastewater reclamation

☒ Yes ☐ No

3. CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER

- a. Are you now using groundwater in lieu of surface water? ☒ Yes ☐ No
- b. If credit toward use under this permit through substitution of groundwater in lieu of appropriated water is claimed under Section 1011.5 of the Water Code, please show the amounts of groundwater used below.

1998	1999	2000
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> af <input checked="" type="radio"/> mg	<input type="radio"/> af <input checked="" type="radio"/> mg	<input type="radio"/> af <input checked="" type="radio"/> mg

I have data to support the above surface water use reductions due to conjunctive use efforts. ☒ Yes ☐ No

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

DECLARATION

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:

☐ Yes ☒ No

Completed by: You must enter a First Name and Last Name below

Thom <input checked="" type="checkbox"/>	M <input type="checkbox"/>	Lounsbury <input checked="" type="checkbox"/>
First Name	Middle Name	Last Name
thom@fullcircledrums.com	(805) 967-2541	Vice President, San Marcos
Email	Phone	Company

If there is insufficient space for your answers, please use the space provided below.

REMARKS (Identify the item you are explaining)

C. San Marcos Mutual Water Company (SMMWC) utilizes water from springs, groundwater and San Jose Creek. Spring water was the primary source until 1995 when the Santa Barbara County Health Department required that our spring water receive filtration. Since

SEE ATTACHMENT

GENERAL INFORMATION PERTAINING TO WATER RIGHTS

[Submit Completed Supplemental Statement](#)

[Return to Reports Program Main Page](#)

If you have a question, comment or need to communicate with us, please send an email. Make sure to include your application, statement or groundwater recordation number in your email.
wrreports@waterrights.swrcb.ca.gov

Status Section:

[Handwritten signature]

Water Rights Form

F 1a – box information

domestic graywater use, efficient fixtures, tiered water rates. The SMMWC is owned and operated by 38 families, all of whom understand the importance of careful and efficient water use.

Remarks – box information

- C. San Marcos Mutual Water Company (SMMWC) utilizes water from springs, groundwater and San Jose Creek. Spring water was the primary source until 1995 when the Santa Barbara County Health Department required that our spring water receive filtration. Since 1995 we have used groundwater while we researched the most effective method of surface water filtration and raised the necessary money. We are now installing a surface water filtration system and expect to use spring water as our primary source by Spring 2002.

San Marcos Mutual Water Company provides domestic water to 38 single family residences. These 38 residences have a total average use of 3,000 HCF per year. Spring water is the primary source, with groundwater water used to meet peak demand during July and August. Prior to 1995 approximately 60 percent of annual water use was spring water. The springs are located on SMMWC property – located in the southwest quarter of the southwest quarter of section 22, T05N, R28W, SB&M.

Water pumped directly from San Jose Creek is used only during droughts and water shortages due to system failure or other water shortage emergencies.

San Marcos Mutual Water Company would like to complete the appropriate water rights forms to clarify our use of both creek and spring water, and our riparian rights to both sources. Please send us the forms necessary to complete this process.

- F. 3a. As stated above, San Marcos Mutual Water Company has been using only groundwater since 1995. Surface water filtration will be installed and functional by Spring 2002 and at that time SMMWC will use primarily spring water. Groundwater water is used to meet peak demand during July and August, with water from domestic gardens helping to recharge the groundwater during other months.

km

5-8 885

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S008885
OWNER OF RECORD: SAN MARCOS MUTUAL WATER CO

SAN MARCOS MUTUAL WATER CO
STAR ROUTE TROUT CLUB
SANTA BARBARA, CA 93105

STATE WATER RESOURCES
CONTROL BOARD
1995 JUL -6 PM 3:01
DIV. OF WATER RIGHTS
SACRAMENTO

SOURCE: SAN JOSE CREEK
TRIBUTARY TO: LAS VEGAS CREEK
COUNTY: SANTA BARBARA
DIVERSION
WITHIN: NE¼ OF NW¼ SECTION 27, T5N, R28W, MDB&S.

TELEPHONE NUMBER: 6831944
(805) ~~967-7908~~ 967-7908
YEAR OF FIRST USE: 1928
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons/100PM ☐ Acre-feet

☐ (other) _____

14,400/day

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	432K												5.26 MIL
1993	432K												5.26 MIL
1994	432K												5.26 MIL

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. ☒
- Irrigation _____ acres; Stockwatering _____; Domestic _____
- Other (specify) _____

***** CONTINUE ON BACK PAGE *****

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/28, 1995, at SANTA BARBARA, California

SIGNATURE: [Signature]

PRINTED NAME: MR. JAN EASTMAN ROTHBACH

(FIRST NAME)

(M. NAME)

(LAST NAME)

COMPANY NAME: SAN MARCOS MUTUAL WATER COMPANY

STAR ROUTE

TROUT CLUB

SANTA BARBARA, CA

93105

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

S 8885

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water San Marcos Mutual Water Co.
Address Star Route, Trout Club, Santa Barbara Ca 93105
- B. Name of body of water at point of diversion San Jose Creek
Tributary to (Pacific Ocean?)
- C. Place of diversion NE 1/4 NW 1/4 Section 27, Township 5N, Range 78W, S B&M, Santa Barbara County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works San Marcos Mutual Water Co. Emergency back-up system

E. Capacity of diversion works 13 cubic feet per second
Capacity of storage reservoir 50,000 gallons per minute
gallons
acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1976	0	0	0	0	0	0	0	0	0	0	0	0	0

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 0 gallons
acre-feet

Minimum annual water use in recent years 0 gallons
acre-feet

Type of diversion facility: gravity , pump ✓Method of measurement: weir , flume , electric power meter , water meter , estimate ✓

F. Purpose of use (what water is being used for) Domestic Emergency back-up for Spring System, also used for recreation. Water has never been diverted, though diversion works are in place.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) →

H. Year of first use as nearly as known 1928 (fishing + swimming) though no diversionI. Name of person filing statement Shelley AmacherPosition Secretary - Trans. Organization San Marcos Mutual Water Co.Address Star Route, San Marcos Trout Club, Santa Barbara 93105

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: August 2, 19 76 at Santa Barbara, California.Signature: Shelley Amacher

See Instructions on Reverse Side